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## DIGEST OF OTHER RECENT VIRGINIA DECISIONS.

(Syllabi prepared by M. P. Burks, State Reporter.)

**HOLERAN v. MEISEL AND ANOTHER.**—Decided at Richmond, February 14, 1895.—*Riely, J.*

1. **BILL OF EXCEPTIONS**—*Office of—allegation of error—evidence—several objections in one bill.* It is the office of a bill of exceptions to set forth a specific and definite allegation of error and so much of the evidence as is necessary to a clear apprehension of the propriety or impropriety of the ruling made by the court, and if it fails to do this the exception will prove unavailing. Two or more objections may be saved by the same bill, provided they are distinctly set forth with the necessary circumstantiality, and not confused with one another. But the better practice is to take a separate bill for each objection.

2. **RES JUDICATA**—*Construction of records by Court of Appeals.* When this court has construed the legal character and effect of certified copies of entries in certain public records, which involves the construction of the records themselves, such construction is *res judicata* in this court and all the courts of this State, and an instruction which gives to such entries any other or greater effect is erroneous.

3. **EVIDENCE**—*Books of register of land office—patents—colonial records.* Entries in the books of the office of the Register of Land Office, labelled "Patents," without signature or seal, are not patents, nor grants, but are admissible in evidence as "Colonial records," tending to prove that proceedings had been taken looking to the execution and issuing of a grant, to be followed, if possible, by evidence tending to show that the grant so contemplated and begun was actually executed, issued, and delivered.

4. **EJECTMENT**—*Patent from Commonwealth—previous grant—adversary possession.* In an action of ejectment, a valid patent from the Commonwealth to the plaintiff is *prima facie* evidence of title in the plaintiff, with the right of immediate actual possession, and can only be defeated by an adversary possession under color or claim of title for the statutory period, or by showing a previous valid grant by the Commonwealth to a third person, or a state of facts from which such patent may be presumed.

5. **EJECTMENT**—*Boundaries—expert testimony.* In an action of ejectment, the question whether the land in controversy is within the boundaries claimed by the plaintiff's declaration is a question of fact upon which witnesses may state their knowledge, but upon which experts may not express opinions. On such question expert testimony is not admissible.

**NICHOLAS v. COMMONWEALTH.**—Decided at Richmond, March —, 1895.—*Harrison, J.*

1. **CRIMINAL LAW**—*Speedy trial—failure to hold term—continuance.* The statute guarantees a speedy trial to a person indicted for a felony by providing for his